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THE
FORTNIGHTLY REVIEW.

No. XCVI. NEW SERIES.—DECEMBER 1, 1874.

THE KAFIR REVOLT OF 1873.

THE publications mentioned in the foot-note¹ contain all that the colonial officials have been able to say in defence of proceedings in the course of which more than two hundred persons, including many old men, women, and children, have been killed, about two hundred have been sentenced to transportation or imprisonment with hard labour, and fifteen thousand have been deprived of all their land and cattle, and driven out homeless. Two thousand men, women, and children were even at one time offered by Government to private colonists as servants; though this project was afterwards abandoned, and in certain cases their friends have recovered them by paying for them ten shillings a head. And it is now clear that all this misery has been brought about by nothing worse than suspicion and fear on the part of the natives, combined with jealous pride of race, blundering, and ultimately panic, on the part of the white people and authorities, the latter of whom have resorted to measures of which the true description will be best left to the judgment of those who shall have read the narrative. The one consoling circumstance is, that there is reason to believe that the Home Government is well disposed to do all that is now possible to redress the injustice; but it is not the less necessary that the English public should be made alive to the manner in which its imperial duties have been discharged by those whom it has trusted on the spot.

On October 30th, 1873, Sir Benjamin Pine, the Lieutenant-Governor of Natal, informed the Legislative Council, by a message, "that a native chief named Langalibalele and his tribe" (the Ama-Ilubi) "have set the authority of her Majesty's Government in

(1) Papers relating to the late Kafir Outbreak in Natal, presented to both Houses of Parliament by command of Her Majesty: 1874, C—1025.

"The Kafir Revolt in Natal in the year 1873, being an Account of the Revolt of the Ama-Ilubi Tribe under the Chief Langalibalele, and the Measures taken to vindicate the Authority of the Government, together with the Official Record of the Trial of the Chief and some of his Sons and Indunas." Pietermaritzburg: Keith & Co. (1874.)

this colony at defiance, and are charged with committing acts amounting to public violence and treason." On the same day some regular soldiers, with two cannon, six corps of mounted volunteers, and five thousand natives, were set in motion for the purpose of surrounding the tribe and preventing its escape. For now it must be stated, though the Lieutenant-Governor's message specified no more than has been quoted, that the primary object of the expedition was to enforce an order for Langalibele's personal appearance at the capital, Pietermaritzburg, which had been several times sent to him during the preceding six months, and which he had not complied with, fearing that treachery was intended, and that he would be killed, though he at last offered to pay a heavy fine instead of appearing. Nor can it be said that such a fear was unnatural in a native mind, for only twice before in the history of the colony had such a summons been sent to a chief, and each time the matter had ended in the destruction of the tribe; besides that, at a former period, when the Ama-Ilubi were living in Zululand, their then chief, Langalibele's brother, was sent for by the Zulu king Dingane, and slain on his arrival in obedience to the summons—an event which had left a deep impression on their minds. Langalibele's appearance at Pietermaritzburg was required because Mr. Macfarlane, the magistrate of his county, Weenen, had reported him to Mr. Theophilus Shepstone, the Secretary for Native Affairs to the Colonial Government, on grounds which cannot be stated with proper definiteness, since the report was not contained in any official document, but of which the only ones that have been produced are conniving with his tribe in the retention of firearms contrary to law, and insulting a messenger sent to him about those firearms, and this messenger had a blood-feud with the Ama-Ilubi, and his report of the insult has not been confirmed by another unprejudiced messenger who accompanied him. As to the tribe, notwithstanding the Lieutenant-Governor's message, no act of public violence had, up to its date, been alleged against them, nor any unlawful act, except the retention of the guns; for advice to their chief not to risk his life by obeying the summons to the capital, and the intention of flying with him, and defending his person if necessary, were not acts. The charge of treason in the Lieutenant-Governor's message doubtless refers to information which the Natal Government had received from that of the Cape Colony, that a rumour was current among the Basutos that Langalibele intended to resist the order to deliver up the guns, and had asked two Basuto chiefs to allow him to send his cattle into their country for safety. But the truth of this rumour has never been investigated, and the absence of any understanding between Langalibele and the Basuto chiefs is quite apparent from the event.

The Ama-Ilubi occupied what is called a location, of about two hundred thousand acres—Middlesex contains a hundred and eighty

thousand—at the foot of the Kahlamba or Drakensberg mountains, the frontier between the colony and Basutoland, a district which a few years since submitted voluntarily to British sovereignty, and is governed from Capetown. They had entered Natal in 1848, as refugees from the cruel Zulu sovereign, Panda, and were placed in their location for the purpose, which they had admirably fulfilled, of protecting the colony against the inroads of the Bushmen, who are not, like the Basutos, a branch of the great Kafir race, but natives of a very low type. As the crisis approached, the agitation among the Ama-Hlubi had become extreme. Flight was the general thought, but no plan had been fixed on; yet movements, especially of the women and children, were commencing, and the more easily because, from the time of year, the cattle were already feeding high up towards the mountains. Some proposed that the tribe should return to Zululand, some had gone to the upper part of the Little Tugela River, when the actual march of the troops was made known by the messengers returning from Pietermaritzburg, whither they had been sent to make the last unsuccessful attempt to compound matters by a fine. Langelibalele then, by a sudden decision, issued an order that the men, with the cattle, should cross the Drakensberg by the Bushman's River pass, but if pursued should not fire upon the troops, but should leave the cattle and run away; and that the women and children should remain behind in the caves of the Little Tugela, where he did not doubt they would be safe under British rule. The chief himself ascended the pass on the morning of November 3rd, and proceeded further into the dreary waste which divides Natal from Basutoland.

To understand this flight, it should be known that the Kafir usages as to refugees (which are stated at p. 75 of the "Compendium of Kafir Laws and Customs," compiled by direction of Col. Maclean, Chief Commissioner of British Kaffraria, and published under the authority of the Cape Government) are very similar to those which are found, or might lately have been so, among more civilised peoples. No general right of expatriation is allowed, and those who wish to change their chief must fly stealthily with their cattle, for if caught they would be "eaten up;" a term which includes all kinds of plunder and destruction of property, but not killing human beings, unless the "eating up" is resisted. But the right of asylum is recognised, and the chief to whom the fugitives may succeed in escaping is never even asked to give them up; only, if they have taken any of their neighbours' cattle with them, or if any lawsuit was pending before they fled, he generally settles such matters impartially on being appealed to. The Ama-Hlubi, then, considered that if they could escape with their cattle into Basutoland, they would be safe, and might either send for their women and children to follow them, or make terms with the Natal Government to pay a fine and return.

But in this calculation they forgot that Basutoland, too, had become British territory; so that entering it was not escaping into any jurisdiction where disobedience to an order of the Natal Government would not be regarded as a crime, but was, legally, seeking to occupy without lawful permission soil which, though new, was still British. The mistake was natural, seeing the little apparent unity there is between the British possessions, and especially that Basutoland has not been opened to colonisation, and has little to distinguish it from an independent native territory, except the residence of an agent of the Cape Governor among its chiefs.

The troops having been dispersed over a wide extent of country with the view, as has been mentioned, of surrounding the tribe, Major Durnford reached the summit of the Bushman's River pass on November 4th, with a small party of mounted volunteers and Basutos, and there found the flight still in progress, though Langalibalele was far in advance. The Ama-Hlubi "asked why they were followed, now they had left the country of taxes;" and, after a good deal of time spent in parleying, the senior officer of the volunteers informed the major that they were seized with panic, and were not to be depended on, and the major thereupon ordered a retreat, seeing which the Ama-Hlubi commenced firing, and the colonial force only got away with the loss of five killed—three Europeans, the interpreter, and a Basuto. The excitement which this event caused in the colony was redoubled by the circulation at the same time of another story, which obliges us to retrace our steps a little.

Mahoiza, the last of the messengers from the Government to Langalibalele, had been sent with a written summons to him from Mr. Shepstone, dated October 4th, by which he was peremptorily required to appear at Pietermaritzburg within fourteen days after its delivery. Tardy in setting out, travelling leisurely, and put off after his arrival while Langalibalele was trying to be allowed to pay a fine instead of appearing, Mahoiza did not see the chief till the 29th, two days after the Lieutenant-Governor, without waiting for the effect of the letter, had requested the military commandant to take forcible steps; nor was anything known of the result of his mission until, on November 1st, he met Mr. Shepstone, already surrounded by warlike preparations, at Estcourt, in the county of Weenen. To that gentleman he told a sensational story, to the effect that he and his companions had been "subjected to every possible [insult . . . made prisoners of . . . stripped of their clothes, and then marched under a strong armed guard, prodded every now and then with the points of assegais, to the hut where the chief was . . . [who then] reviled the magistrate, me, and you [Mr. Macfarlane, Mr. Shepstone, and the Lieutenant-Governor]. . . . Nothing was given them to eat, and they had to do without for some days." It has since been proved that every syllable of this story was a lie, except that the party were

made to take off their coats, for fear that a pistol with which to kill the chief might have been concealed under them—a fear arising from an incident which the natives believe to have happened, namely, that Mr. John Shepstone, brother of the Secretary for Native Affairs, when charged with arresting a chief named Matyana, enticed him to a meeting, and then suddenly produced a pistol and fired at him. Matyana escaped to Zululand, the matter was never investigated, and some of the colonists deny the firing; but the currency of the allegation excuses suspicion under the circumstances of Mahoiza's visit. Mahoiza's own previous career had not been free from the accusation of dishonest practices, though the Kafirs who made it had failed to convince Mr. Shepstone of its truth. Yet that gentleman accepted his whole story without question, and embodied it the next day in a despatch to the Lieutenant-Governor, in which, declaring that it removed every lingering doubt from his mind, he recommended that the whole tribe should be removed from where it was, and dispersed among the farmers, and that the men found in arms should be punished as the Lieutenant-Governor might decide. This, it will be observed, was two days before the affair at the pass, when there was no overt act of resistance to authority to punish any one for.

For immediate purposes, Mr. Shepstone's plan was to issue a proclamation, reciting that "the chief Langalibalele and a portion of the Ama-Hlubi tribe have disobeyed the orders of the Supreme Chief" [the Lieutenant-Governor], "and defied the authority of the Government of her Majesty the Queen, and have taken up a position in the Drakensberg, where they have insulted the messengers sent by the Supreme Chief to remonstrate with them and require their obedience,"—observe that Mahoiza himself did not place the scene of his story in the Drakensberg, but at one of the numerous kraals of the tribe, four days before Langalibalele set out for the Drakensberg, which he did on the very day of the date of this proclamation—and menacing coercive measures, which, as being to a large extent intrusted to a native force, were sure to be severe, after twenty-four hours had been allowed to individuals to give themselves up. Mr. Shepstone says, "I find"—he should have said "I conjecture"—"that the rebellious portion of the tribe is all in one place, and that therefore twenty-four hours' notice is quite sufficient." But on November 4th, when two messengers were sent to make this proclamation—a number which would not have been too small if there had really been a collected body of the Ama-Hlubi to send them to—the last of the so-called rebellious portion were crossing the Drakensberg on the opposite side of the extensive location to Estcourt, and few but the old men, women, and children—who should have been the subject of watchful care by the Government—were left to address these menaces to. That day and the next the two messengers walked about, meeting the few wretched creatures who ventured out of their caves and

thickets after their goats or their horses, and on November 6th the dogs of war were let slip on the location.

It would serve no purpose to detail the horrors of the ensuing days, as they appear in the narratives contained in the official record of the trials, and as they are admitted in the anonymous but apparently not quite unofficial introduction to that record, as published by Messrs. Keith and Co. Little difference can be made between the conduct of the whites, infuriated by the loss of white lives at the pass, and that of their native allies. Fighting there was none, in any military sense; but several of the able men returned from across the Drakensberg, when they heard that the women and children were being captured, rather with the view of sharing their fate than from any notion that they could protect them, and there was a good deal of firing among the thickets and into and out of caves. From the evidence printed by the Government, it is not certain that any life was destroyed by the fires which were certainly lighted at the mouths of caves; but the spirit which prevailed may be judged of from a passage in the introduction just referred to, where, after relating how a solitary and wounded "rebel," on being dragged from his hiding-place by a large party, was shot by order of the officer in command, it is suggested that if mercy had been shown to him it might have been regarded as a sign of fear. The total result was the slaughter of two hundred persons, of both sexes and all ages, and the sweeping in of a multitude of captives, ruined in property, and severed from their relations and friends. Martial law (whatever that may mean) was not proclaimed till November 11th, and was revoked from the 24th; but the lawless violence which had not waited for its proclamation was not stopped by its being revoked, and as late as December 16th the Government Kafirs swooped down on a kraal which had remained perfectly quiet, assegaied one of the men, and stole seventy head of cattle, as many goats, £20 in cash, and everything else on which they could lay their hands; nor was it till four months afterwards that any expression of regret for the murder, or any promise of restitution of the property, could be extracted from the authorities.

Meanwhile, Langalibalele, followed by a force from Natal, was desirous of reaching the Basuto chief, Molapo, in the hope of being received by him as a refugee, according to the Kafir custom; but while he was wandering in the mountains without a guide, a treacherous message from Molapo brought him to that chief's kraal, where on December 11th he surrendered to the British authorities, and the remainder of the Ama-Hlubi, with their cattle, were soon afterwards taken. The cattle were appropriated by the Government, or by their Basuto captors with its consent; the men were brought back to the colony, to learn that the matter against them was already judged by another proclamation of the Lieutenant-

Governor, dated November 11th, by which "the chief, Langalibalele, and the Ama-Ilubi tribe" were declared outlaws, on the *ipse dixit* of Sir Benjamin Pine that they were in rebellion; Langalibalele was deposed from the dignity of chief, and it was declared that the tribe was broken up, and had ceased to exist, "and that no person heretofore belonging to it shall be allowed to live within the colony, until he shall be furnished with and possess a certificate from the resident magistrate of the county or division in which he resides or has resided, stating that he has taken no part in the revolt and rebellion aforesaid, or shall have been duly tried and acquitted of such offence." The Ama-Ilubi, by the returns of the hut tax, had 2,344 huts, and were estimated to number 1,875 fighting men. Here, then, were 10,000 people, lately tillers of the soil, and possessed of abundance of cattle, sheep, and horses, despoiled of everything, and all the men among them forbidden even to work for wages, or to sleep under a bush, without having justified themselves individually, and this under conditions making justification almost impossible; for few had not taken part in the flight, and to say that they had fled, but had never meant to rebel in any proper sense, would be to give the lie to the Lieutenant-Governor's proclamation, and throw blame on all his proceedings.

The farce which was called the trial of Langalibalele was opened on January the 16th. The Kafirs in the colony of Natal are believed to be under, or at least liable to be under, a special something called native law, for the purposes of which the Lieutenant-Governor dons the title of Supreme Chief; but, in practice, all serious criminal charges against natives have, almost from the foundation of the colony, been tried before the Supreme Court, according to the ordinary criminal law. On this occasion, however, the arbitrary weapon of native law was again produced, with what degree of strict legality I will not here inquire, being content to see how far the proceedings were consonant with justice, which the Supreme Chief was the more bound to observe since he considered himself free from technical restraints. The court was composed of the Lieutenant-Governor and Mr. Theophilus Shepstone, the two persons whose proceedings any real investigation of the charge of rebellion would have impeached, and a varying number of European magistrates, and native chiefs and government indunas (officers). It was opened by a speech from the Lieutenant-Governor, in which the prisoner's guilt was affirmed; and he was told that, under native law, if strictly administered, it would be considered as proved without trial. Mr. John Shepstone, acting as prosecutor, then indicted the prisoner for rebellion, charging as special acts the flight from the colony, the killing the members of the colonial force at the pass, a conspiracy with the tribe to procure and retain firearms illegally, "treasonable communications with others at present unknown," and insult and violence to the messengers

of the Supreme Chief. Langalibalele—though of course it does not appear in the publications named at the beginning of this article—had been prevented from conversing with the other native prisoners, though some of them might have been valuable witnesses for him; but, being called on to plead, he attributed the flight from the colony to fear, said that he would have liked to call some witnesses who would have exculpated him personally about killing the men at the pass, denied having ordered the men of his tribe to procure guns, denied all treasonable communication with any one, and admitted some disrespect to the messengers in causing them to strip (only their coats, be it remembered), which, however, he said was a precaution caused by fear. This plea, so plainly one of Not Guilty, the court declared that it regarded as one of Guilty, and directed the trial to proceed only “for the purpose of placing on record the extent of the prisoner’s crime,” that is, in plain English, not for the conviction of the prisoner, which was already decided on, but for the justification of the Governor’s acts and proclamations; and the excuse given for the treatment of the messengers the Lieutenant-Governor pronounced at once to be an aggravation, because it imputed the possibility of treachery to the Government. He may not have heard of the story about Mr. John Shepstone, as he was not in the colony at the time of the occurrence; but the cue was taken, aided, no doubt, by the presence of the two Messieurs Shepstone in important official positions, and the full nature and real importance of the excuse were never explained. On the third day the Lieutenant-Governor announced that he had determined to allow counsel to appear for the prisoner; but, on the fourth day, he announced that Mr. Escombe, whom the court had selected (and who, by the way, knew nothing of the native language), had refused to accept the duty, on being informed “that he must confine himself within certain limits;” whereupon it was determined that there was to be no counsel, “because he could only say something in extenuation of the guilt of the prisoner,” any disproof of which, it is thus confessed, was not to be permitted. The prisoner was not even allowed to have the advice and assistance of Mr. Advocate J. B. Moodie, whom he had desired to consult as an old acquaintance, and one familiar with the Kafir language. After the fourth day it became known to the Bishop of Natal that Mahoiza’s story, most of which he had repeated at the trial, was a tissue of falsehoods, and the witnesses to that effect, produced by the bishop, were confronted with Mahoiza in the presence of Mr. Theophilus Shepstone and the native members of the court, who were all fully satisfied of their truth; but they were not allowed to repeat the discomfiture of Mahoiza before the court, from which the Lieutenant-Governor, on the fifth day, elicited a declaration that they required no further evidence on the point; and thus that scoundrel’s inventions stand uncontradicted in the official record of

the trial, and I regret to add that he retains to this day his post of induna to the magistrate's court at Pietermaritzburg, in which capacity he has to hear and decide all native cases in the first instance. Of a trial thus conducted it is needless to say anything further, but that on the sixth day the Lieutenant-Governor delivered an elaborate judgment, finding Langelibalele guilty of all the charges except that of treasonable communication with persons out of the colony, which had not been inquired into, and supporting the finding of guilty of the killing at the pass, (as to which not a syllable of evidence had been furnished that the order to fire, which was given by Mabuhle, was in accordance with the chief's directions,) by the ridiculous arguments that Mabuhle was a trusted induna of Langelibalele, sent him a report of the action, and was with him when he was taken prisoner. The notions of political, civil, and criminal responsibility for the acts of another appear to have been all confused together in the minds of the court.

Space fails me to relate in detail how against this judgment, which concluded with a sentence of transportation for life, the Bishop of Natal appealed in Langelibalele's name to the Lieutenant-Governor in Executive Council; by what difficulties and limitations interposed the success of the appeal was prevented; how the bishop then unsuccessfully applied to the Supreme Court to prohibit the transportation on various technical grounds; how there was one such ground, unknown to the bishop, and at least unnoticed by the Supreme Court, to which, as being decisive against the legality of the sentence, Lord Carnarvon, as Secretary of State for the Colonies, had drawn the attention of the Lieutenant-Governor, by a despatch which he must have received before the appeal was heard, and, *a fortiori*, before the application to the Supreme Court; and how, notwithstanding that despatch, the sentence has been carried into effect by transportation to Robben Island, near Cape Town, where Langelibalele is kept, it is said, in close confinement, though other Kafir prisoners there are allowed the freedom of the island, and whither one of his wives, the mother of a boy transported with him, has been prevented from accompanying him, if not by the Natal Government, at least by the petty chief under whose surveillance they had placed her. Nor can I find room for the trials of the sons and tribesmen of Langelibalele, which have resulted in the wholesale sentences mentioned at the commencement of this article—an instalment of that indictment of a whole people, which Burke said he did not know how to draw, but which we have seen was promised, not in vain, by the Lieutenant-Governor's proclamation. Only I cannot help observing that, in the trial of the sons, the Lieutenant-Governor, having begun by ordaining that five native chiefs or indunas should be necessary to constitute the court, made up the number, on the day when judgment was given, by bringing in one

who had not been present at any, and another who had been present only on four, of the nine days on which evidence was taken;¹ and as the affair of the guns was the principal occasion of the troubles, the upshot of it, as it appears from all the evidence, must be stated. It is that the Ama-Hlubi, though the only tribe whom the Government much pestered about their guns, were as little at fault as any, for the register which, though produced to the court, has been kept out of the official record of the trials, shows that in the three years 1871-2-3 they, with their 2,344 huts, had thirteen guns registered, while other tribes in the district, numbering together 12,650 huts, and who are known to have abounded with guns as well as the Ama-Hlubi, had only eight registered; that the guns had been lawfully purchased at the Diamond Fields, another British territory, where the regulations as to the possession of guns by natives are less strict than in Natal, out of wages earned there; that the Natal Government, when the guns were brought within its jurisdiction, sought to enforce its own rules about them, which were that they must be brought in for registration, and would then be detained unless the owners were favourably reported on, no compensation, however, being offered in case of their detention; and that Langalibalele's offence, even under this harsh dealing, was only that he persisted in saying that in so large a tribe, in which much must necessarily go on without his knowledge, he could not aid the Government in getting the guns sent in unless they furnished him with the names of the men whom they accused of having them. The idle stories with which panic, and jealousy of all independent spirit, filled the colony in 1873, and of which no proof at all has been offered, or none but some expressions of witnesses whom there was no one to cross-examine, though a few questions would have elicited the explanations they have themselves since given, must here be dismissed, though they are paraded sometimes as verities, sometimes with an "it is said," or an "it must have been," in the narrative which forms the anonymous introduction to the official record. Langalibalele's habit was to answer when found fault with; he usually did so, as far as I can make out, fairly, and rather on behalf of his tribe than of himself; but he had been warned that his magistrate disliked him for it, and this, at bottom, appears to have brought the trouble on the Ama-Hlubi.

I said at the beginning that fifteen thousand persons had been driven out homeless, and in the Ama-Hlubi I have accounted for ten

(1) On one of the days on which evidence was taken, the number of five was made up by bringing in a native chief, Umnini, who had been summoned to Pietermaritzburg to give an account of himself for having, as reported, remonstrated against an order of the Lieutenant-Governor. Since the refusal of counsel has been extenuated on the plea that the native members of the court were free to put questions to the witnesses, one may ask what impartial questioning was expected from judges among whom it was thought proper to place one who had, as it were, the government rope round his neck?

thousand. The balance is composed of the late neighbour tribe of Putini, the Ama-Ngwe, who were living quietly, without so much as a charge being made against them, when, during the "eating up" of the Ama-Hlubi, "by an admirable movement," says the Lieutenant-Governor, they were "surrounded and disarmed without loss of life." About a month afterwards, on December 17th, 1873, a proclamation was issued, breaking up the tribe, and, as in the case of the Ama-Hlubi, forbidding its late members to live within the colony until they should have cleared themselves, individually, from taking part in the rebellion; the grounds alleged being that they had received and concealed part of the people (they were chiefly women) and cattle of Langalibalele's tribe, and that they had fired on her Majesty's forces, which, if they did it at all, was not till the "admirable movement" had been commenced against them. None of them have been tried, and the Natal Government now admits that the proclamation, in their case, was an error, and has promised to restore them to their lands and property; but at the date of the latest advices from the colony those who had been bound for terms of years as servants to colonial farmers had not been so restored.

The first reflection which this sad narrative suggests relates to the consequences of the mode in which the tribal organization has been maintained among the Kafirs in Natal. The wars of the cruel Zulu dynasty of Chaka, and the convulsions caused by the movements of the Dutch boers, had left the colony almost vacant in the early British times. It was then re-peopled by Zulus, returning in large numbers to their old associations, as well as by others, flying from the tyranny of Dingane and Panda; and as there is a rapid national increase among a people in general orderly, and for their state of civilisation industrious, the Kafirs now number 350,000, while the whites, who have not thriven in the usual colonial manner, are but 18,000. The situation, no doubt, was and is difficult, nor can Mr. Shepstone and the other founders of the actual system be blamed for relying to a great extent on the means of government to be found among the natives. Yet it is now evident that mistakes were made. The tribal organization which the refugees brought with them was preserved, and a similar one was established for those who came as scattered families, so far that titles to land were not given to individuals, but to the chiefs or tribes, and were vested even for them in a Government Kafir trust, as a protective measure against improvident alienation, except, singularly enough, in the case of the tribes here chiefly concerned, and one other, that of Umnini, whose land I believe is vested in the Bishop of Natal. But the chiefs, who by native law had the power of life and death, were reduced to the right "to adjudicate in all civil cases between members of their own tribes, or where one of them is the defendant in any suit, and to punish for small municipal

offences" (*Lieut.-Governor Scott's despatch, No. 34, 1864, p. 51*); and as the natural consequence, "the authority of the chief, though tacitly acknowledged, and on rare occasions enforced, is generally dormant, and, for all useful purposes, little more than nominal" (*Times of Natal, 10th June, 1874*). The inability of Langalibalele to furnish more effectual aid to the Government in the matter of the unregistered guns illustrates the result of relying so much on a power which was at the same time so weakened, and of so far depriving the individual Kafir of the discipline of contact with European magistrates, and of the incentive to increased industry which the power to acquire separate property in land would have given. It was not unnatural to underrate, at first, the degree in which the Kafir, who had risen beyond savagery into a barbarian order of his own, was prepared to take his place individually as a responsible subject of a civilised government, but it is now time to enable him more freely to do so.

Another evil was that, just as a feudal king employed his faithful vassals in expeditions against his rebellious ones, the force used for coercing a tribe, in case of need, was mainly drawn from the other tribes; and thus the passions to which the *pax Britannica* refused a vent in private war, received nevertheless an occasional gratification under the sanction of the Government. It was during the employment of the Ama-Hlubi in "eating up" Matyana's tribe that they killed the brother of Umtyityizelwa—the man whose story, since made more than doubtful, of an insult offered him by Langalibalele, has been already alluded to;¹ and we have seen what the Ama-Hlubi have suffered in their turn. But perhaps the most striking evil which has flowed from the system is to be found in the arbitrary and unjust habits of mind and action which have been engendered among the white authorities themselves, by the practice of dealing with the natives without the restraint of British law. In the present instance, this corruption of the white authorities has reached the point of cynicism. The worst things that Sir Benjamin Pine and Mr. Shepstone have done against the Ama-Hlubi and their chief

(1) See p. 2. Is this the insult referred to in the proclamation of martial law as having been offered to certain messengers? As they are said to have been sent by the Supreme Chief, it may be thought that Mahoiza's party is referred to, and not Umtyityizelwa's, who were sent by Mr. Macfarlane. But the proclamation enumerates the insult to the messengers among the causes why the Lieutenant-Governor "directed a civil force, aided by the military, to proceed to invest the country occupied by said chief and tribe;" and as that direction was given before Mahoiza's affair happened, the Lieutenant-Governor, if the latter be the affair meant, must have inverted the order of events for the purpose of palliating the hasty exhibition of force which drove the tribe into flight. In the sentence on Langalibalele, Umtyityizelwa's affair is unequivocally alluded to thus: "It also clearly appears from the evidence that, with reference to the unlawful possession of these firearms, the prisoner set the authority of the magistrate at defiance, and on one occasion insulted his messenger." Yet not a word about it is to be found in the evidence on this trial, but only in that on the later ones!

they have justified on the plea, not always true, that the Zulus, whose law they deemed themselves to be administering, would have done as bad or worse. It is the old story of paternal government, with the old ending. Whenever any men claim the right of governing others, on the ground of mental or moral superiority, and there is nothing to hold them in check, the event shows, with unfailing irony, that whatever may be thought of such a claim on principle, at least the men who made it were not the right ones. Our national habits give us, at home and in our other dependencies, a law capable of holding its own against the executive: the Kafirs in Natal must have its protection, or good government and mutual confidence between them and us are impossible.

Lastly, what is to be done with the two tribes? The restoration of Putini must be completed; it has been promised, and it must be done. For the Ama-Hlubi, the case is not so simple. They were in some fault about the guns, though it is now known that not one in ten of the men of the tribe possessed guns unregistered. Their public opinion influenced Langalibalele against obeying the summons to the capital, though real fear for his safety was the motive. They actually abandoned their location, though under the fear that the Government had a grudge against them, and meant them mischief. A few fired on the troops at the Bushman's River pass, though it was on ground believed to be beyond the colonial boundary, and where, therefore, they thought the troops had no right to follow them. Under these circumstances, their complete restoration would scarcely be advisable politically, and could not be claimed as a right, much as it is to be regretted that one of the best and finest tribes in the colony, whose members were always highly esteemed and sought after as servants, should have been broken up in so fearful a way. But all outlawry and penal sentences against any of them should be remitted by a full pardon; and it has been well suggested by the Bishop of Natal that, with the wages which they will then quickly earn, and with such restitution as can be made to them from the produce of their confiscated property, they should be allowed and encouraged to purchase land individually, and thus a commencement be made of dealing with the Kafirs on a better system than the tribal one, which, as the experiment succeeded, might be gradually discontinued or modified elsewhere. If such purchases were allowed to be made at once, the price to be paid by instalments, the women, with the old men and children, whose position now presents the greatest difficulty, might settle in the new location, and would be usefully employed in preparing homes for their husbands and sons against the time when the price should be paid up. Great judgment and knowledge of the natives would be required, in order to superintend the carrying out of such a plan, but it seems to afford the most hopeful mode of bringing good out of the evil which has been done. JOHN WESTLAKE.